



2030890

Christiansen

RE: Addendum to comments to work plan for "Riverside Park/Export Plant" September 18, 2003

Dear Mr. Christiansen:

Thank you for your September 11 reply to my comments submitted at the last CAG meeting. I would like to take this opportunity to address some of the shortcomings of that reply. Now that the Mayor's corruption has become an imminent threat to life and health in Libby, I think it is time to actively pursue remedy. I see your shallow and superficial response as obstruction of the OIG investigation.

I still believe that if your intentions were to clean the western portion of the riverbank, it would have been designated in the work plan in the same manner as the other portions of riverbank. I do not believe you when you say you had those intentions if they are not backed up on paper in the work plan. You fail to mention how you are going to remove the overburden placed there by the City if it is not contaminated. It must be removed to ascertain the condition of the original, virgin riverbank and to satisfy the MT DEQ violation notice. If it is not contaminated with vermiculite, the taxpayers are going to be forced to pay for the City's folly. This would constitute fraud and waste.

I thank you for looking into the contamination under City Service Road. I must point out that in three years of investigating this site, no one EPA talked to mentioned this contamination until it was addressed in my comments. How do you expect to find contamination without public involvement?

Public involvement and transparency are still huge issues here. You told me at the August 14 CAG meeting that you would present this workplan to the City Council in a public meeting. You failed to do so. I told you that the Mayor's conflict of interest that was exposed October 9, 2002 would prevent you from conducting this business in public. The Council meeting was advertised in the newspaper for a rate hearing at 6pm and the regular meeting at 7pm. On September 8, the day of the meeting, the Mayor unilaterally forced you to present your workplan at 5:30pm, thus not allowing any public involvement. Your boss, Mr. Vodehnal, said you contacted me before the meeting. That is simply untrue. I will let EPA review my phone records if necessary, but I don't like being lied to. This type of unethical and dishonest behavior does not inspire confidence that you intend to conduct business openly as required by law. You should have refused to present at 5:30 and waited until 7, then you could have confirmed the Mayor's conflict of interest because he would not be allowed by the City Attorney to participate in a public meeting. I see this as a cover-up. You still have a chance to present this at the September 22 Council meeting if you are truly sincere about transparency in your actions with the City.

I tried to hold WR Grace accountable to the requirements of the UAO at a council meeting and Councilman Bauer tried to have me arrested for asking the questions that would have avoided this exposure. I know how hard it is to pin this gang down. Please note that you refused to address Grace's failures under the UAO in your response. Is that because EPA is accountable for that failure also?

You failed to address my observation that materials are already being purchased from the Mayor's renter, Millwork West, for this project. I don't think the Mayor should be allowed to profit from exposing his constituents to a deadly substance. EPA has already shown a willingness to overlook pollution, even cause pollution, for the Mayor's benefit when they installed an illegal system on the Mayor's property. (Another item from my comments that you failed to address)

I have the workplan and site plan for the restroom at Millwork West. There is no mention of the parking lot drain that was installed in conjunction with this work. There is no mention of where this shallow injection well delivers its poisons to the environment. When the taxpayers paid for this unplanned, unregulated, unpermitted injection well, EPA broke all of the waste, fraud and abuse laws in the book. Beyond that, the septic waste was delivered to an "abandoned" drainfield that was verified by the Mayor in interviews with four people who did not supply sworn affidavits, the Mayor wouldn't even supply the names of these fictitious installers.

You neglected to address my comment on the contamination Grace left behind at the Export Plant. You saw the violent reaction Alan Stringer had to this item when he physically assaulted me at the CAG meeting for bringing this up. Obviously, Grace has something to hide there. If you allow it to remain hidden, you protect Grace at the expense of the safety of the people of Libby.

Your work plan is flawed, the execution of the work is hidden from the public, Grace is directing the actions of EPA, and all is well in Libby, MT.

Sincerely DC Orr